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FACEBOOK, INC. and INSTAGRAM, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FACEBOOK, INC., a Delaware
corporation and INSTAGRAM, LLC, a
Delaware limited liability company,

Plaintiffs,

v.

AREND NOLLEN, LEON HEDGES,
DAVID PASANEN, and SOCIAL
MEDIA SERIES LIMITED,

Defendants.

CASE NO.: 3:19-CV-02262-WHO

**STIPULATION AND ORDER FOR
CONTINUANCE OF BRIEFING
SCHEDULE FOR AND HEARING ON
DEFENDANTS' MOTION TO
DISMISS FOR LACK OF PERSONAL
JURISDICTION AND *FORUM NON
CONVENIENS***

STIPULATION

Plaintiffs Facebook, Inc. and Instagram, LLC (together, “Plaintiffs”) and Defendants Arend Nollen, Leon Hedges, David Pasanen, and Social Media Series Limited (together, “Defendants”), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, Plaintiffs filed this action against Defendants on April 25, 2019. ECF No. 1.

WHEREAS, on June 12, 2019, Defendants moved to dismiss the action under Rule 12(b)(2) of the Federal Rules of Civil Procedure and on *forum non conveniens* grounds (the “Motion”). ECF No. 23.

WHEREAS, Plaintiffs’ opposition to the Motion is due on June 26, 2019, and Defendants’ reply in support of the Motion is due on July 3, 2019.

WHEREAS, the Court set a July 17, 2019 hearing date for the Motion. ECF No. 25.

WHEREAS, on June 21, 2019, the parties began discussing a possible early resolution of the action, which the parties would like to explore further.

WHEREAS, the parties would like to devote their full resources and time to explore whether an early resolution of the action is possible.

WHEREAS, the parties believe a brief two-week continuance of the briefing schedule and hearing on the Motion will enable them to focus on good faith settlement discussions, which, if fruitful, could avoid burdening the Court with motion practice.

WHEREAS, the parties have not previously sought a continuance of the briefing schedule or a hearing on the Motion.

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties that:

- a) Plaintiffs’ opposition to the Motion shall be filed on or before July 10, 2019.

b) Defendants' reply in support of the Motion shall be filed on or before July 17, 2019.

c) The hearing on the Motion should be continued until July 31, 2019 at 2:00 p.m., or the next available date on the Court's calendar.

By entering into this stipulation, Defendants do not waive any affirmative defenses, including but not limited to lack of personal jurisdiction.

IT IS SO STIPULATED.

Dated: June 21, 2019

HUNTON ANDREWS KURTH LLP

By: /s/ Ann Marie Mortimer
Ann Marie Mortimer
Jason J. Kim
Attorneys for Plaintiffs
FACEBOOK, INC. and
INSTAGRAM, LLC

Dated: June 21, 2019

THE NORTON LAW FIRM PC

By: /s/ Fred Norton
Fred Norton

THE NORTON LAW FIRM PC
Attorneys for Defendants
AREND NOLLEN, LEON
HEDGES, DAVID PASANEN, and
SOCIAL MEDIA SERIES LIMITED

ATTESTATION

Pursuant to Northern District Local Rule 5-1(i)(3), the filer of this document hereby attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized this filing.

Dated: June 21, 2019


HUNTON ANDREWS KURTH LLP

By: /s/ Ann Marie Mortimer
Ann Marie Mortimer
Jason J. Kim
Attorneys for Plaintiffs
FACEBOOK, INC. and
INSTAGRAM, LLC

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The above stipulation is hereby approved by the Court. The hearing on the motion is set for August 7, 2019 at 2 p.m.

Dated: June 24, 2019



William H. Orrick
United States District Judge